

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 20-20538

Honorable David M. Lawson

MATTHEW DARREL CHILDERS,

Defendant.

**EIGHTH ORDER ADJOURNING TRIAL AND EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT**

On December 14, 2022, the Court held a status conference with the defendant and counsel for the parties to discuss the impending trial. The defendant's lawyer reported that he has a complex federal robbery trial commencing the week after this matter is set for trial, and that under the circumstances he would be unable properly to prepare for both trials in a timely manner. The parties also reported that they still anticipate a prospect of a global resolution involving this matter and pending state court criminal sexual conduct charges. The defendant requested that the Court adjourn the presently scheduled trial date to ensure adequate trial preparation and continuity of counsel for the defense. The government did not oppose the request.

The Court finds that the defendant has shown good cause for the adjournment, and that a schedule adjustment is necessary to ensure continuity of counsel for the defendant and to allow reasonable time for his counsel to accomplish effective trial preparation. The Court further finds that in the interests of justice the time between January 3, 2023 and the new trial date of March 21, 2023 should be excluded from the 70-day calculation under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

Accordingly, it is **ORDERED** that the defendant's unopposed request to adjourn the trial is **GRANTED** for the reasons stated above and on the record.

It is further **ORDERED** that the parties must appear for a final pretrial conference **on March 1, 2023 at 2:00 p.m.**

It is further **ORDERED** that the deadline for entering a guilty plea under a plea agreement is extended to **March 1, 2023**.

It is further **ORDERED** that the jury trial will begin on **March 21, 2023 at 8:30 a.m.**

It is further **ORDERED** that the time between January 3, 2023 and the new trial date of March 21, 2023 shall be **EXCLUDED** from the 70-day calculation under the Speedy Trial Act, because the failure to grant the stipulated adjournment would deny the defendant continuity of counsel and adequate time to prepare for trial. 18 U.S.C. § 3161(h)(7)(B)(iv).

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: December 14, 2022